

# Exhibit 6

From: Greg Stein.  
 To: [ - ] Andy Rubin.  
 Cc: [ - ] Chris DiBona; opensource-team.  
 Bcc: [ - ]  
 Subject: Re: [Opensource-team] Fwd: Java News from Sun.

Sent:11/12/2006 10:48 PM.

The news.com article notes that you can buy a non-GPL'd version.

On 11/12/06, Andy Rubin <arubin@google.com> wrote:

> I have been advised that Sun will offer a "link exception" to GPL so  
 > that you can link your app with their class libraries and not have  
 > the copy-left force you to open source your app. If they do not then  
 > it's a play for a dual license.  
 >  
 > They still have patents and trademarks.  
 >  
 >  
 >

> On Nov 12, 2006, at 10:30 PM, Chris DiBona wrote:

>  
 >> I have to admit I keep thinking "what's the catch", which means I'm a  
 >> little cynical about this. I hope it's just the regular GPL and they  
 >> don't try for additional attribution clauses. OSI is apparently  
 >> considering allowing these within the auspices of "open source" as they  
 >> see it.  
 >>  
 >> I'm chatting with Mike Tiemann about this tomorrow.

>>  
 >> Chris  
 >>

>> On 11/12/06, Greg Stein <gstein@google.com> wrote:  
 >>> On news.com: [http://news.com.com/Sun+picks+GPL+license+for+Java+code/2100-7344\\_3-6134584.html?tag=nefd.top](http://news.com.com/Sun+picks+GPL+license+for+Java+code/2100-7344_3-6134584.html?tag=nefd.top)

>>>  
 >>> On 11/12/06, Chris DiBona <cdibona@google.com> wrote:  
 >>>> FYI

>>>  
 >>> ----- Forwarded message -----  
 >>> From: Simon Phipps <Simon.Phipps@sun.com>

>>> Date: Nov 12, 2006 6:28 PM  
 >>> Subject: Java News from Sun  
 >>> To: Trusted-Friends@webmink.net

>>>  
 >>>  
 >>> Tomorrow, Sun will be making an announcement about the Java  
 >> platform  
 >>> that many of us have been anticipating eagerly. We wanted you to  
 >> hear  
 >>> it direct from us rather than through the press, so I'm sending you  
 >>> the news release that will go to the press tomorrow. If you have  
 >> any  
 >>> questions, please do not hesitate to contact me.

>>>  
 >>> Best regards  
 >>>

>>> Simon  
 >>>  
 >>>  
 >>> -----  
 >>>  
 >>> Simon Phipps, Chief Open Source & Free Software Officer, Sun

>>> Microsystems

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

**TRIAL EXHIBIT 155**

CASE NO. 10-03561 WHA

DATE ENTERED \_\_\_\_\_

BY \_\_\_\_\_

DEPUTY CLERK

> >> >  
 > >> Tel: +1 650 352 6327/USx69758 Web: www.webmink.net, AIM:  
 > >> webmink  
 > >> >  
 > >> Current timezone: UTC-8 (California)  
 > >> >  
 > >> SUN MICROSYSTEMS PRESS RELEASE  
 > >> >  
 > >> Sun Open Sources Java Platform and Releases Source Code Under GPL  
 > >> License Via NetBeans and Java.net Communities  
 > >> >  
 > >> Builds on Success of NetBeans and OpenSolaris to Establish New  
 > >> Communities For Open Source Development of Java Technology  
 > >> >  
 > >> SANTA CLARA, CALIF., -- November 13, 2006 -- Sun Microsystems, Inc.  
 > >> (NASDAQ: SUNW), the creator and leading advocate of Java(TM)  
 > >> technology, today announced it is releasing its implementations of  
 > >> Java technology as free software under the GNU General Public  
 > >> License  
 > >> version two (GPLv2). Available today, are the first pieces of  
 > >> source  
 > >> code for Sun's implementation of Java Platform Standard Edition  
 > >> (Java  
 > >> SE) and a buildable implementation of Java Platform Micro Edition  
 > >> (Java ME). Details are available at: at  
 > >> <http://www.sun.comopensource/java>. In addition, Sun is adding the  
 > >> GPLv2 license to Java Platform Enterprise Edition (Java EE),  
 > >> which has  
 > >> been available for over a year under the Common Development and  
 > >> Distribution License (CDDL) through Project GlassFish(TM) at  
 > >> <http://glassfish.dev.java.net>.  
 > >> >  
 > >> This announcement represents one of the largest source code  
 > >> contributions under the GPL license (under which the GNU/Linux  
 > >> operating system is also distributed) and the open sourcing of  
 > >> one of  
 > >> the industry's most significant and pervasive software  
 > >> platforms. With  
 > >> over 3.8 billion Java technology enabled devices, Java  
 > >> technology is  
 > >> showing explosive growth, appearing in volume everywhere. From  
 > >> mobile  
 > >> phones and smart cards to enterprise applications and  
 > >> supercomputers,  
 > >> Java technology provides a unifying platform for software  
 > >> innovation.  
 > >> By open sourcing Java software, while offering commercial products  
 > >> with indemnity for our customers, Sun expects Java technology to  
 > >> become even more pervasive.  
 > >> >  
 > >> "By open sourcing Sun's implementation of Java technology, we will  
 > >> inspire a new phase of developer collaboration and innovation using  
 > >> the NetBeans(TM) Integrated Development Environment (IDE) and expect  
 > >> the Java platform to be the foundation infrastructure for next  
 > >> generation Internet, desktop, mobile and enterprise applications,"  
 > >> said Rich Green, executive vice president of Software at Sun. "With  
 > >> the Java Development Kit (JDK(TM)) released as free software  
 > >> under the  
 > >> GPL, Sun will be working closely with distributors of the GNU/Linux  
 > >> operating system, who will soon be able to include the JDK as  
 > >> part of  
 > >> the open source repositories that are commonly included with GNU/

> >> Linux  
 > >> > distributions."  
 > >> > "Everyone has been expecting that one day Sun would open source  
 > >> Java  
 > >> > technology, but no one expected just how far they'd go – GPL. A  
 > >> bold  
 > >> > move, and a great opportunity both for Sun and for free and open  
 > >> > source software, " said Tim O'Reilly, founder and CEO of O'Reilly  
 > >> > Media.  
 > >> >  
 > >> > Java SE  
 > >> > Sun is releasing three significant software components today for  
 > >> the  
 > >> > ongoing development of Sun's open source implementation of Java  
 > >> SE in  
 > >> > the Java.net community: Java HotSpot(TM) technology, the Java  
 > >> > programming language compiler (javac(TM)) and JavaHelp(TM)  
 > >> software.  
 > >> > Sun expects to release a buildable JDK in the first quarter of  
 > >> 2007,  
 > >> > following established free software community practices for  
 > >> licensing  
 > >> > virtual machines and their associated libraries. Java HotSpot  
 > >> > technology and javac are two of the most important elements of Java  
 > >> > SE; Java HotSpot technology is the Sun implementation of the Java  
 > >> > Virtual Machine (JVM(TM)) and the core component of the Java  
 > >> Runtime  
 > >> > Environment (JRE), which translates Java code to the specific  
 > >> > operating system and chip architecture, allowing Java software  
 > >> to run  
 > >> > everywhere and javac is the compiler that analyzes Java source code  
 > >> > for correctness and generates proper bytecodes for execution.  
 > >> JavaHelp  
 > >> > software is the documentation system to complement the JDK.  
 > >> >  
 > >> > These first components of the OpenJDK(TM) project will allow  
 > >> > developers to experiment with the compiler, try out new language  
 > >> > features, learn how a world-class virtual machine is built, port  
 > >> the  
 > >> > JVM to new hardware architectures and operating systems, fix  
 > >> bugs and  
 > >> > contribute new features. Through the OpenJDK project, developers  
 > >> will  
 > >> > be able to directly influence the future of the JDK implementation,  
 > >> > participate with their peers in an open community and help take  
 > >> Java  
 > >> > technology where it hasn't been before.  
 > >> >  
 > >> > Java ME  
 > >> > Available immediately in the Java.net community, is the source code  
 > >> > for Sun's feature phone Java ME implementation, the next generation  
 > >> > version of the platform that currently enables rich mobile data  
 > >> > services in over 1.5 billion handsets. Also available is Sun's  
 > >> source  
 > >> > code for the Java ME testing and compatibility kit framework, the  
 > >> > foundation for Sun's Java ME compatibility tests. Later this  
 > >> year, Sun  
 > >> > will release additional source code including its advanced  
 > >> operation  
 > >> > system phone implementation and the framework for the Java  
 > >> Device Test  
 > >> > Suite.

> >> >  
 > >> Sun is releasing these technologies as free software in order to  
 > >> accelerate the development and evolution of the platform, reduce  
 > >> fragmentation and drive down development costs throughout the  
 > >> Java ME  
 > >> ecosystem. In addition, this move will provide easy access to the  
 > >> latest versions of Java ME platform technologies and, for the first  
 > >> time, enable the whole Java ME community to follow the  
 > >> activities of  
 > >> and participate in the development of these technologies.  
 > >>  
 > >> Java EE  
 > >> Sun is also announcing that it is now releasing the source code for  
 > >> Project GlassFish (part of the GlassFish Community) under a dual  
 > >> open  
 > >> source license. In addition to CDDL, Project GlassFish will also be  
 > >> available under GPLv2 in the first quarter of 2007. By adding a  
 > >> second  
 > >> license, we simplify the process of combining and distributing  
 > >> GlassFish code with other GPL licensed communities. By offering  
 > >> all of  
 > >> Java under a common license, developers can now more easily  
 > >> distribute  
 > >> updated versions of Java SE, Java EE and Java ME together.  
 > >>  
 > >> NetBeans and Sun Development Tools  
 > >> The NetBeans IDE can dramatically simplify getting started with JDK  
 > >> development because the open source components have already been  
 > >> configured as NetBeans projects. Developers can download the source  
 > >> code, open it in the NetBeans IDE, and use the Build Project  
 > >> command  
 > >> to build it. For further information and a step-by-step tutorial go  
 > >> to: <http://nb-openjdk.netbeans.org>. In addition, an application  
 > >> developer project is available as part of the Mobile & Embedded  
 > >> community, with links to resources such as the NetBeans Mobility  
 > >> Pack,  
 > >> the Java ME authoring tool that delivers a whole new level of  
 > >> sophistication and ease for drag-and-drop screen design. Sun is  
 > >> also  
 > >> making available the world-record producing Sun(TM) Studio  
 > >> development  
 > >> environment for the development of the platform-specific native  
 > >> code  
 > >> in the Java HotSpot virtual machine.  
 > >>  
 > >> The recently announced NetBeans 5.5 contains a variety of new  
 > >> features, including: Java Persistence API and JAX WS 2.0  
 > >> productivity  
 > >> tools, Subversion support, and enhancements to the NetBeans GUI  
 > >> Builder (formerly known as Project Matisse). NetBeans 5.5 is the  
 > >> first  
 > >> and only freely available IDE to provide comprehensive support for  
 > >> Java EE 5, the industry standard for developing portable, robust,  
 > >> scalable, and secure server-side Java applications.  
 > >>  
 > >> Developer Support and Services  
 > >> Sun offers Java technology and Solaris(TM) Operating System  
 > >> developers  
 > >> a complete line of developer how-to help, product support and  
 > >> updates,  
 > >> and training that reduces time and risk for the entire application  
 > >> lifecycle--from development through deployment through Sun's

> >> Developer  
> >> Services programs (<http://developers.sun.com/services>).  
> >> Developers are  
> >> also encouraged to join the Sun Developer Network Program, at no  
> >> cost,  
> >> by registering online at: <http://developers.sun.com/register>.  
> >>  
> >> About Sun Microsystems, Inc.  
> >> A singular vision -- "The Network Is The Computer"(TM) -- guides  
> >> Sun  
> >> in the development of technologies that power the world's most  
> >> important markets. Sun's philosophy of sharing innovation and  
> >> building  
> >> communities is at the forefront of the next wave of computing: the  
> >> Participation Age. Sun can be found in more than 100 countries  
> >> and on  
> >> the Web at [sun.com](http://sun.com).  
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> >> Open Source Programs Manager, Google Inc.  
> >> Google's Open Source program can be found at <http://code.google.com>  
> >> Personal Weblog: <http://dibona.com>  
> >>  
> >>  
> >> Opensource-team mailing list  
> >> [Opensource-team@google.com](mailto:Opensource-team@google.com)  
> >> <https://mailman.corp.google.com/mailman/listinfo/opensource-team>  
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>> Open Source Programs Manager, Google Inc.  
>> Google's Open Source program can be found at <http://code.google.com>  
>> Personal Weblog: <http://dibona.com>  
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